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February 18, 2021

**Via ECF- Letter Motion**

The Honorable Katherine Polk Failla  
 United States District Judge  
 United States District Court, Southern District of New York  
 40 Foley Square  
 New York, New York 10007

**MEMO ENDORSED**

Re: Girotto v. LXC, Inc. et al.  
Case No.: 19-cv-02858-KPF

Dear Judge Failla:

We represent Defendant, 162 West Realty LLC, in the above-captioned matter. We write jointly with Plaintiff's counsel, Brad Weitz, Esq., and co-defendant's counsel, David Yan, Esq., in accordance with Your Honor's December 21, 2020 Order. At this time, the parties are jointly requesting an extension of the existing stay in this matter.

As we previously stated, due to the ongoing national health crisis caused by the COVID-19 pandemic, coupled with the mandated closure of non-essential public businesses in New York City, including indoor dining, which has adversely affected the business in this matter, it is very difficult for the parties to proceed in this matter with discovery and productive settlement negotiations at this time.

Therefore, the parties jointly hereby respectfully request that the Court grant an additional sixty (60) day stay of all deadlines and/or any conference in this matter. The undersigned has conferred with all counsel who join in on this request. We thank you for your attention and consideration.

Respectfully submitted,

JACKSON LEWIS P.C.

*/s/ Joseph J. DiPalma*  
 Joseph J. DiPalma

cc: All counsel (via ECF)

The Court is in receipt of the parties' third request for a stay in this matter. (See Dkt. #56, 58, 60). The Court appreciates the difficulties posed by the ongoing pandemic, both for the parties and for the instant litigation. However, the Court observes that the parties to other matters in this District are continuing to move forward with their cases, and is of the view that the parties to this matter should similarly do so. As such, the parties are ORDERED to submit a joint letter and Proposed Case Management Plan and Scheduling Order on or before March 5, 2021. The Court will thereafter schedule a status conference as it deems appropriate.

Dated: February 18, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE